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9
10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 GLADYS PEREZ,
13 Petitioner,
14 v.
15 STATE OF NEVADA,
16 Respondents.

Case No. 2:14-CV-02087-APG-PAL
**Unopposed Motion for Extension of
Time to File Opposition to Motion to
Dismiss**
(First Request)

ORDER

1 **Points and Authorities**

2 Petitioner Gladys Perez respectfully asks this Court to enter an Order
3 extending her deadline to file an opposition to motion to dismiss by 30 days until
4 April 3, 2019. The respondents do not oppose this request.

5 Perez filed her counseled, amended petition on June 13, 2018,¹ and the state
6 moved to dismiss it on January 25, 2019.² Perez filed a Rule 25 Motion to Substitute
7 Respondents on January 28, 2019.³ The state opposed it on February 11, 2019,⁴
8 making Perez's Reply due February 19, 2019.⁵ Perez sought and received one
9 extension to file her reply, and timely filed it on February 26, 2019.⁶

10 Counsel was out of the office for several days in the last month for both
11 personal and profession reasons. On February 13-14, 2019, counsel was in San
12 Francisco to argue *Hanson v. Baker*, in the Ninth Circuit. Counsel returned to the
13 office February 15, but was out of the office on February 18, part of February 19,
14 2019, and March 1, 2019.=

15 Undersigned counsel and her team have identified witnesses we wish to
16 interview in support of Perez's Opposition regarding tolling and possibly other
17 defenses. Some of these witnesses are incarcerated and counsel's investigator
18 reached out to the prison two weeks ago to request a visit. Those visits have been
19 scheduled for tomorrow and counsel anticipates follow up meetings may be
20 necessary.
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23 ¹ ECF No. 27.

24 ² ECF No. 34.

25 ³ ECF No. 40.

26 ⁴ ECF No. 84.

⁵ See LR 7-2(b) (providing seven days to file a reply after service of the response).

⁶ ECF No. 87.

1 This requested extension will give counsel and her team the time necessary
2 to complete their tolling investigation and to draft and file Perez's response. The
3 additional period of time is necessary in order to effectively and thoroughly
4 represent Perez. This motion is not filed for the purposes of delay but in the
5 interests of justice, as well as in the interests of Perez.

6 On March 4, 2019, counsel e-mailed Deputy Attorney General Ashely A.
7 Balducci regarding this request. She responded that she does not object.

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9 Dated March 4, 2019

10 Respectfully submitted,

11 RENE L. VALLADARES
12 Federal Public Defender

13 /s/Amelia L. Bizzaro
14 AMELIA L. BIZZARO
15 Assistant Federal Public Defender

16 IT IS SO ORDERED:

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19 ANDREW P. GORDON, United States
20 District Judge

21 Dated: 3/5/2019
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